

Lambda Letters Project

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New Law Takes Effect

AB 205: The Blockbuster
Lavender Library, Archives
and Cultural Exchange

By Boyce Hinman, Chief Lobbyist Sacramento, CA

#35288

A number of bills benefiting the LGBTI community became effective on January 1, 2005. The big one is AB 205. The key words in it are as follows:

"Registered domestic partners shall have the same rights, protections, and benefits, and shall be subject to the same responsibilities, obligations, and duties under law, whether they derive from statutes, administrative regulations, court rules, government policies, common law, or any other provisions or sources of law, as are granted to and imposed upon spouses."

It is important to note that the benefits of AB 205 apply only to *registered* domestic partners who have recorded their domestic partnership with the state of California.

This law provides sweeping new benefits and responsibilities for registered domestic partners in California. Most laws passed by the state legislature take a particular section of government code and create specific new wording for that particular section. Laws like that make very limited changes to California law.


With AB 205 Assemblymember Jackie Goldberg (D-Los Angeles) used a different approach. Her bill simply says that wherever statutes regulations, court decisions, and so forth apply to married people, the same rules must apply to registered domestic partners in California.

Continued on page 7


LLP Annual Meeting

Please Sign and Send Your Proxy Immediately

It's almost annual meeting time again. Lambda Letters' annual meeting will occur on Saturday, January 29, 2005, starting at 11 AM. You are cordially invited to attend. The meeting will occur at Shriners Hospital for Children, 2425 Stockton Blvd. (between X and Y Streets), Boardroom, 7th Floor, Sacramento.

Please remember that we must have a quorum of one-third of the membership (in person or by proxy) to conduct business. So if you are unable to attend, please complete and return the enclosed proxy right away. If you are not sure if you can attend, please complete and return the proxy anyway. If you later find that you can attend, you can always revoke your proxy and vote in person at the meeting. 

LLP Sets New Record

During 2004 the Lambda Letters Project delivered over 364,000 of your letters and e-mails to elected officials. That is roughly 100,000 more than we did in 2003. We owe a great debt of gratitude to all of you who faithfully sent your letters in each month and who responded to the many alerts we sent out in 2004. Together we are winning the war. Thank you for doing your part. 

Also in This Issue

Women's Issue	3
People of Color Issue	3
HIV/AIDS Issue	4
LGBTI Issue	4, 10
January Legislative Update	5-6
Updates: SB 1193, AB 2208, AB 2580, AB 205	7-9
Tax Deduction for Sex Reassignment Surgery	10

Lambda Letters Progress Report

Letters and Messages Collected

Nov. & Dec., 2004	17,898 letters & e-mails
In all of 2004	364,795 letters & e-mails

Dollars Spent

November, 2004	\$4,926
In all of 2004	\$45,430

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

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 with your name and phone number, is the 25th of each month.

Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?

If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.

The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

Independent Judiciary More Crucial Than Ever

By Kathleen Watanabe, Legislative Analyst

The re-election of President Bush, and the continued Republican stranglehold on Congress, provides an ominous threat to the civil liberties and welfare of many Americans. A conservative judiciary branch of government could undo many years, even decades, of hard-earned progress in the area of civil rights and will negatively impact us for decades to come.

During the past four years, Bush and Congressional Republicans have aggressively pushed an agenda to reduce civil liberties, reduce the rights of workers, lower the barrier separating church and state, and attack the civil rights of women and LGBTI citizens. The centerpiece of this plan is to curtail the reproductive self-determination of women, including the reversal of *Roe v. Wade*. Even though conservatives control the presidency and the Congress now, the most important element of this agenda is to put a permanent conservative stamp on federal laws by confirming strict conservative judges to the federal bench.

During the past four years, the president has stubbornly submitted the names of the most conservative nominees for U.S. District Court and Circuit Court of Appeals judgeships. Although the general public knows the power of the U.S. Supreme Court, it is the lower courts that have the most impact because that is where thousands of cases affecting our lives are decided. The Supreme Court most often intervenes when there is a conflict between Appeals Court rulings.

If conservative judges control the various circuit courts, there will likely not be any conflicts between them and most civil rights challenges will stop there. Women, in particular, have much to lose if conservatives are appointed to the federal bench. Already decisions are being made that undermine reproductive rights, civil rights, disability rights, and many other gains feminists have fought for over the past 30 years. This will have a devastating and chilling effect because appointments to the federal courts serve for life. The precedents that the courts set will have lasting impacts decades after Bush and the current Congress leave office.

That is why it is crucial for the Senate to take its constitutional role of giving advice and consent on judicial nominees very seriously. A mistake in confirming an extremist judge will have a detrimental impact on our society for many years to come.

Conservatives in both the Congress and the state legislatures have passed many bills strictly limiting women's right to access to affordable and safe abortions. Fortunately, most of these draconian laws have been overturned by

Support the Winnemem Wintu Tribe

By Marty Martinez, Legislative Analyst

This month we ask you to write Senator Dianne Feinstein (D-California) and urge her to help the Native American communities in California, including the Winnemem Wintu Tribe. The Winnemem Wintu are not acknowledged as a tribal nation. Their tribal status was erroneously stripped from them in the mid 1980s. And because of incompetence at the Department of the Interior, the tribe has been unable to get their rights restored.

Bureaucratic issues at the Department of the Interior, including confusion between the Winnemem Wintu tribe and another tribe, are preventing the Winnemem Wintu from regaining recognition as a tribe. Recognition as a tribe would entitle the Winnemem Wintu to needed federal funds. At present the tribe is close to bankruptcy.

The tribe has appealed to Senator Feinstein for help. But the *Sacramento Bee* newspaper reports that Feinstein is refusing to support any Native American legislation until Congress acts on her measure to overturn a deal that gave the Lytton Band of Pomo Indians the right to develop a casino at San Pablo, California.

The U.S. government owes a debt of responsibility to Native American tribes and it is unacceptable for politics to hold up support for tribal issues. The Winnemem Wintu should not be made to suffer because Senator Feinstein objects to a deal made with another tribe.

The Winnemem Wintu and all Native Americans need our voices to be heard. Please write Senator Feinstein and urge her to ensure that the Winnemem regain their tribal recognition and that Native American issues receive greater support in the U.S. Senate. ✉

federal courts because they have been deemed unconstitutional under the landmark 1973 *Roe v. Wade* decision. However, new laws are now being passed that incrementally chip away at the *Roe* decision. This has been the most important goal of conservatives during the past several years—with their ultimate goal to challenge and overturn the *Roe* decision in the Supreme Court.

It is important that we tell Senator Diane Feinstein that she remain firm in her resolve to defeat extremist judicial nominees, including the support of filibusters if needed. This is even more crucial when a Supreme Court vacancy occurs. Please write to her now. Women's right to choose depends on you. ✉

Medicaid Support for HIV-Positives

By Boyce Hinman, Chief Lobbyist

This month we ask that you write to your member of the House of Representatives and ask him or her to introduce or support legislation to permit people who are HIV-positive, but who do not have full-blown AIDS, to qualify for Medicaid health insurance coverage.

Medicaid is a federal/state program that provides payments for doctors bills, medication, and hospitalization for low-income disabled and elderly people. It is paid for from both federal and state funds. Sometimes the patients also pay a copayment for services. In California the program is called Medi-Cal.

People with full-blown AIDS are considered disabled. That was established many years ago by federal law and regulation. People who are HIV-positive, but who do not have AIDS, are not considered disabled unless they have some other disabling condition. That means that HIV-positive people often do not qualify for Medicaid.

There is a problem with that. Various medications can keep HIV-positive people from developing AIDS. But most of these medications, and the associated medical care, is very expensive. Large numbers of HIV-positive people in this country cannot afford to pay for the medications out of pocket. Thus many of them do not get the medicines that could prevent them from getting AIDS. Many of them progress to full-blown AIDS and many of those have to go on Medicaid/Medi-Cal to pay for the care and medicines they need.

The average yearly price of AIDS therapy and related healthcare runs as high as \$22,000. As more and more people develop AIDS and go on Medicaid, the costs for society just keep on rising. According to the California Office of AIDS, there were 135,707 people with AIDS in California as of November 30, 2004. Consider the impact of people—and in many cases government—spending an average of \$22,000 per person to treat that ailment.

And it keeps getting worse. The California Office of AIDS reports that in the first 11 months of 2004, the number of HIV-positive people in California increased by 5,000 to a total of 35,263 people. Just think of the cost savings if we could keep all those people from developing AIDS.

Please write to your member of the House of Representatives and urge him or her to introduce or cosponsor legislation to allow HIV-positive people to qualify for Medicaid. ✉

Support Marriage Equality

By Shirin Buckman, Legislative Analyst

After the onslaught of negative marriage “preservation” amendments passed throughout the U.S. this past November, Assemblymember Mark Leno (D–San Francisco) introduced a true marriage preservation bill.

On December 6, 2004, Leno introduced AB 19, the Religious Freedom and Civil Marriage Protection Act. It ends California’s discriminatory practice of denying marriage licenses to same-sex couples. However, the bill also makes it clear—and even reinforces the principle—that religious institutions will retain the freedom to decide whether or not to perform same-sex marriages.

AB 19 is sponsored by Equality California and coauthored by 25 members of the Assembly and Senate.

The bill amends the California Family Code to define marriage in gender-neutral terms. Prior to 1977, marriage in California was defined as a civil contract between two persons, regardless of gender. In 1977, the Legislature amended that language to specify that marriage was solely a heterosexual union. AB 19 attempts to return the definition of marriage to the nondiscriminatory language that existed prior to 1977.

There are three reasons why it is crucial to lobby your elected officials to cosponsor AB 19.

First, this is a civil rights issue. Marriage is a universally recognized fundamental human right. In fact, in a decision rendered in 1948, the California Supreme Court described the right to marry as “a fundamental right of free men.”

Current California law violates California’s doctrines of equality, privacy, and freedom from discrimination. AB 19 addresses these inequalities by ensuring that same-sex couples have the same marriage benefits and duties that heterosexual couples now have under state law. These rights and duties help people in California provide stability and support to their spouses and children.

AB 19 provides same-sex couples equal status with heterosexual couples. Gay and lesbian individuals currently serve as vital members of the community as firefighters, teachers, police, and elected officials, among others. They contribute to society. They should have the same rights and responsibilities afforded to heterosexuals as well.

Second, maintaining the status quo by just strengthening domestic partnership laws, substantiates the separate-but-equal doctrine. Domestic partnership in California grants a couple a limited number of state rights and responsibilities. Civil marriage, on the other hand, confers 1,138 federal rights and responsibilities, including social security, Medicare, family/medical leave, and tax and survivorship benefits.

Continued on page 10

January Legislative Update

The Legislature met for one day last December, on the 6th. Several bills were introduced that day. The following is a list of those bills that we found relevant to include in our update.

HIV/AIDS Issues

None introduced yet.

LGBTI Issues

AB 12 (Chuck Devore, R-Irvine)

Purpose: To provide that real property (such as a home) may be transferred to a beneficiary upon the death of the owner by recording, prior to the owner's death, a beneficiary deed signed by the owner of the property interest designating a beneficiary. Property transferred this way would not have to go through the long, expensive probate process.

Status: Introduced.

LLP Position: Support. This bill could benefit domestic partners who choose not to register with the state.

AB 19 (Mark Leno, D-San Francisco)

Purpose: To allow same-sex couples to obtain marriage licenses in California and to establish that no clergy or religious organization can be required to solemnize any marriage to which they have a religious objection.

Status: Introduced.

LLP Position: Support.

ACA 3 (Ray Haynes, R-Temecula)

Purpose: To amend the state constitution to ban same-sex marriage permanently in California and to take away the benefits that domestic partners have obtained over the past few years. This bill would also prohibit the granting of marriage-like benefits to them in the future.

Status: Introduced.

LLP Position: Oppose.

SCA 1 (Bill Morrow, R-San Juan Capistrano)

Purpose: To amend the state constitution to ban same-sex marriage permanently in California and to take away the benefits that domestic partners have obtained over the past few years. This bill would also prohibit the granting of marriage-like benefits to them in the future.

Status: Introduced.

LLP Position: Oppose.

People of Color Issues

AB 15 (Jerome Horton, D-Inglewood)

Purpose: To encourage schools to include a discussion of the contributions of Filipinos to the war effort during World War II.

Status: Introduced.

LLP Position: Support.

AB 22 (Sally Lieber, D-San Jose)

Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims, and would require the development of a training program for peace officers on the subject of human trafficking. It would also require the Victim's Compensation and Government Claims Board to oversee local shelters for human trafficking victims. It would also require the Attorney General to make fighting human trafficking a high priority.

Status: Introduced.

LLP Position: Support.

AB 41 (Leland Yee, D-San Francisco)

Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims.

Status: Introduced.

LLP Position: Support.

ACA 6 (Mark Wyland, R-Vista)

Purpose: To amend the state constitution to prohibit the state from issuing any driver's license or state identification card, providing in-state tuition or fees for postsecondary education, granting any voting privileges, or providing any health, social, or other state or local public benefit to any person who is neither a citizen of the United States nor any alien lawfully present in the United States, unless the privilege, service, or the benefit is required by federal law.

Status: Introduced.

LLP Position: Oppose.

Continued on page 6

EDGEWATER RESORT

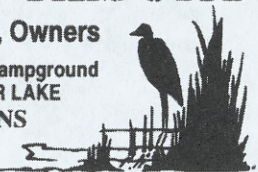
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Legislative Update

Continued from page 5

SB 19 (Deborah Ortiz, D-Sacramento)

Purpose: To establish the California Rx Program. This bill would authorize the program to negotiate drug rebates with drug manufacturers in order to provide low-cost drugs to people on limited incomes but who have too much income to qualify for Medi-Cal. This bill would establish a program for pharmacists to sell discounted drugs to California Rx participants, and would require the state to establish a Web site with information on options for lowering prescription drug costs.

Status: Introduced.

LLP Position: Support.

SB 24 (Deborah Ortiz, D-Sacramento)

Purpose: To require each private hospital to develop a written reduced-cost, charity care policy and application form and to provide these to patients. This bill would also limit debt collection activities of the hospital during the first 150 days after discharge of the patient.

Status: Introduced.

LLP Position: Support.

SB 26 (Dennis Hollingsworth, R-Temecula)

Purpose: To reduce state income taxes, effective January 1, 2003. This bill would eliminate them entirely beginning January 1, 2007.

Status: Introduced.

LLP Position: Oppose. This bill would devastate the state's public health and social services programs.

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Women's Issues

AB 8 (Rebecca Cohn, D-Campbell)

Purpose: To require most health insurance plans to provide a minimum of 48 hours of inpatient care for a mastectomy and 24 hours of inpatient care for a lymph node dissection for the treatment of breast cancer, unless the physician, surgeon, and patient determine that a shorter period of inpatient care is appropriate. The bill would also require coverage to be provided for a follow-up visit with a licensed healthcare professional within 48 hours of the patient's discharge from inpatient care.

Status: Introduced.

LLP Position: Support.

AB 21 (Lloyd Levine, D-Van Nuys)

Purpose: To prohibit a pharmacist from declining to dispense a contraceptive or emergency contraceptive.

Status: Introduced.

LLP Position: Support.

AB 59 (Rebecca Cohn, D-Campbell)

Purpose: To provide significant sentence enhancements for domestic violence in the presence of a child under the age of 18.

Status: Introduced.

LLP Position: Support.

ACR 2 (Rebecca Cohn, D-Campbell)

Purpose: To proclaim the month of October 2005 as Domestic Violence Awareness Month.


Status: Introduced.

LLP Position: Support.

AJR 3 (Rebecca Cohn, D-Campbell)

Purpose: To petition the Congress and the President of the United States to protect and uphold the intent and substance of the United States Supreme Court decision in Roe v. Wade, relating to reproductive rights, and to encourage all Americans to participate in the national celebration, "The March for Women's Lives," in recognition of that decision's historic importance in promoting women's rights.

Status: Introduced.

LLP Position: Support. 

New Law Takes Effect

Continued from page 1

This means that a registered domestic partner can do the following:

- ♦ Sue for damages caused by the wrongful death of a partner through a defendant's negligence or intentional misconduct, and for damages caused by the emotional distress of seeing a partner injured or killed by the defendant's negligence.
- ♦ File lawsuits for loss of the physical and emotional relationship (consortium) with a partner injured or killed through a defendant's negligence or intentional misconduct, or for the unauthorized use of a deceased partner's name, signature, voice, or image for commercial advertising, damages, or for providing illegal drugs to a partner, and may apply for death benefits provided upon the death of a private or public employee under worker's compensation.
- ♦ Represent a partner on a joint claim, with the partner's consent, in small claims court.
- ♦ Argue that any physical force necessary to protect a partner from harm is authorized as self-defense.
- ♦ Not be forced to testify against his or her domestic partner in state court.
- ♦ Be covered temporarily for incidental driving under his or her partner's auto insurance as long as they lived in the same residence.
- ♦ If his or her partner is a veteran, qualify for a \$1,000 exemption on property taxes for a mobile home and an additional 10 points on his or her civil service exam for a state government job.

AB 205 will no doubt provide many more benefits, as people dig further into the laws, regulations, and court decisions that affect married couples—and which now affect registered domestic partners. ✉

SB 1193: Military Benefits

SB 1193 requires the state to pay a \$10,000 death benefit to the surviving spouse or designated beneficiary of any member of the California National Guard, State Military Reserve, or Naval Militia who dies or is killed after March 1, 2003, in the performance of duty, as determined by the military department. A member of these military organizations can name his or her domestic partner as the beneficiary, without necessarily indicating their relationship. It must be noted, however, that these are state military organizations under the control of the California governor. They are separate from the better-known U.S. military services or military reserves. However, these federal military organizations have a similar death benefit and allow designated beneficiaries without specifying the relationship. ✉

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Don't Let THEM Change OUR Constitution!

The Elections Committee of the County of Orange (ECCO) is a **combined Federal and State Political Action Committee** that champions issues important to the GLBT community.

Join us as we financially assist federal and state representatives, candidates, and organizations from Orange County and Long Beach that will defend the U.S. Constitution from the Federal Marriage Amendment.

**ECCO supports
the Lambda
Letters Project**

ECCO is a non-partisan Gay, Lesbian, Bisexual, Transgender, HIV/AIDS, and Women's Political Action Committee.

www.eccopac.org



AB 2208: The Insurance Bill

AB 2208 requires insurance companies to offer insurance to *registered* domestic partners on the same terms offered to spouses.

The bill affects all insurance policies regulated by the California Department of Insurance. This includes health insurance, life insurance, auto insurance, liability insurance, and long-term care insurance among others. (AB 2208 does not affect long-term care insurance offered to state and local government employees through PERS.)


This bill affects any individual insurance policy issued or renewed on or after January 1, 2005. The effective date for group health plans is January 2, 2005. Generally, making your next premium payment qualifies as renewing your policy.

AB 2208 states that if an insurance plan offers coverage to an insured or employee, and the spouse of an insured or employee, it must offer the same coverage to the registered domestic partner of an insured or employee. Furthermore, that coverage must be offered under the same terms and conditions as the coverage offered to spouses.

Although the law affects group plans, it can affect individual insurance as well. Some companies offer family discounts on premiums when a husband and wife each sign up for individual policies or when they both apply for coverage under the same policy. In those cases, the companies must offer the same premium discounts when two domestic partners apply for individual policies, or for a policy on both of them, from the same insurance company.

If you think you qualify to get coverage for your registered domestic partner on your insurance policy, or qualify for a family premium discount, but the insurance company refuses, you can get assistance from the California Department of Insurance.

Call them and request a Request for Assistance form. A department staff member will contact you and the insurance company to resolve the situation. The department's phone numbers are (800) 927-4357, or (213) 897-8921 in Los Angeles.

You can complete an online version of the form at the Web site of the California Department of Insurance. To do that, go to www.insurance.ca.gov. Click the Request Assistance button found at the top of the home page. 

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AB 2580: Wrongful Death and Prenuptial Agreements

AB 2580 gives domestic partners, under certain circumstances, the right to sue for damages caused by the wrongful death of a partner through a defendant's negligence or intentional misconduct, even if the domestic partnership has not been registered with the state.

The bill also allows partners—who registered their domestic partnership prior to January 1, 2005—the right to complete enforceable prenuptial agreements as to the disposition of their property, should the partnership be terminated.

Normally prenuptial agreements would be signed prior to registering the domestic partnership. AB 2580 states that partners who registered their partnership in prior years would not have to terminate the domestic partnership, create the prenuptial agreement, and then re-register the partnership. Their prenuptial agreement would be enforceable, even though signed after they had registered as domestic partners, as long as they sign the prenuptial agreement no later than June 30, 2005.

These are highly technical issues and we recommend you consult an attorney for advice on them. ✉



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AB 205: Community Property Law and Divorce

AB 205 imposes some responsibilities and limitations on registered domestic partners. It imposes community property laws on registered domestic partners in the same way it does to married couples in California.

Basically, this means that property purchased during the life of the domestic partnership, and paid for with monies earned during the partnership, are owned jointly and equally by both partners, regardless of how much each partner contributed to the cost of the property.

There are exceptions. For example, property bought by one partner and paid for with separate funds that he or she had prior to registering the partnership may be owned solely by that partner.

However, even in these cases, it may be necessary that the partners jointly sign a document declaring that the property in question is separate property owned by only one of them. It would be prudent to consult an attorney in a situation like this.

AB 205 also applies divorce law to domestic partners. Effective January 1, 2005, registered domestic partnerships may (with very limited exceptions) be terminated only by divorce proceedings in divorce court. Only couples who meet a long list of criteria can avoid divorce court. Examples of some of the criteria are as follows:

- ♦ They cannot have been registered as domestic partners for more than five years.
- ♦ There must be no child involved.
- ♦ Neither partner can have any interest in real property unless it is a lease on property occupied by one or both partners.
- ♦ They cannot have debt incurred during the partnership of more than \$4,000.

There are other criteria. It would be best to consult an attorney when terminating a domestic partnership. ✉

AB 205: A Tax Exception

AB 205 specifically states that it does not allow registered domestic partners to file joint state income tax returns. This provision was added to the bill at the insistence of Governor Gray Davis and in order to persuade him to sign the bill. ✉

GLAD Wins Tax Deduction for Sex Reassignment Surgery

By Boyce Hinman, Chief Lobbyist

The Internal Revenue Service has concluded that a transsexual woman represented by Gay & Lesbian Advocates & Defenders (GLAD) may deduct expenses for sex reassignment surgery as a necessary medical expense. The decision overturned a tax examiner's refusal to allow Rhiannon O'Donnabhain's claimed deduction because he viewed her sex reassignment surgery as "cosmetic."


As the appeals officer determined, however, Ms. O'Donnabhain's surgery was medically necessary and an integral part of a professionally prescribed course of treatment for her diagnosed condition. The decision has important implications for other government programs as well as for private contracts of insurance.

"This important decision recognizes that sex reassignment can be as medically necessary for some people as an appendectomy or heart bypass surgery," said GLAD attorney Karen Loewy, who represented Ms. O'Donnabhain in her appeal. "Any notion that medical treatment for a transgender person is purely cosmetic is based on misunderstanding and prejudice, not medical science."

Rhiannon O'Donnabhain underwent sex reassignment surgery in 2001 after having been diagnosed with gender dysphoria. She and her healthcare providers determined that sex reassignment surgery was a medically necessary step to enable her to live her life as a woman.

"I am greatly relieved by the appeals officer's decision," said Ms. O'Donnabhain. "While the money was important to me, so too was the underlying principle. I hope this case sends a clear message that transgender people deserve dignity, respect, and equal treatment for our medical care."

Lambda Letters has confirmed with the California Franchise Tax Board that any medical expense that is deductible on a federal income tax return is also deductible on a state income tax return. Therefore, it appears that transsexuals will now, under certain circumstances, be permitted to claim the cost of sex reassignment surgery as a deductible medical expense on their California state income tax return. However, we recommend that you consult with a tax advisor before taking this step.

We gratefully acknowledge that most of the information in this article was provided by Gay & Lesbian Advocates & Defenders (GLAD) and forwarded to us by Equality California. 

LGBTI Issue

Continued from page 4

In addition, domestic partners cannot incur state benefits that receive federal funding because the couple is not federally recognized. Accepting the status quo (state recognition of domestic partnerships) means that same-sex couples will have limited legal tools with which to assume the responsibilities of providing for their families in times of need.

AB 19 will amend California's marriage laws to put an end finally to the inferior separate but questionably equal status of same-sex families. It also would provide a basis for legal challenges to the federal government's refusal to provide federal benefits to same-sex couples.

Third, AB 19 would allow the state to collect additional revenue in fees for marriage licenses. According to the Williams Project at the UCLA School of Law, legalizing same-sex marriage would result in a net gain of \$22.3 million to \$25.2 million each year. State and local governments in California still have huge deficits. These revenues would be helpful in balancing the budget. They would reduce the need to cut funding for education, housing, and medical programs.

AB 19 reiterates the right of religious institutions to determine how and when to perform marriage ceremonies without government interference. Churches that object will not be required to perform same-sex marriages.

On the other hand, current California law does interfere with religious freedom in this area. Unitarian, Quaker, and many Congregational churches are willing now to perform same-sex marriages but they are prohibited from doing so by current California Law. AB 19 validates the Constitution's tenets of separation of church and state.

Please urge your Assemblymember to cosponsor AB 19. If he or she is already a cosponsor of the bill, please express your gratitude to your Assemblymember for doing so.

